



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY

REGION 5

77 WEST JACKSON BOULEVARD

CHICAGO, IL 60604-3590



REPLY TO THE ATTENTION OF:

Mr. Scott J. Nally
Director
Ohio Environmental Protection Agency
P.O. Box 1049
Columbus, Ohio 43216-1049


Dear Mr. Nally:

This is in response to your November 5, 2013 letter to Regional Administrator Susan Hedman. In your letter, you requested that we confirm that submittal of a Title V compliance certification to Ohio Environmental Protection Agency (OEPA) electronically fulfills the requirement to submit the compliance certification to the U.S. Environmental Protection Agency under the circumstances discussed below. Specifically, you requested that we confirm that the reporting provisions in 40 C.F.R. § 70.6(c)(5)(iv) requiring that all compliance certifications be submitted to EPA as well as the permitting authority may be met by sending such submissions to the State of Ohio electronically through Ohio's web-based "Air Services" tool provided that 1) such submissions do not contain or rely upon confidential information, 2) OEPA maintains approved authority to implement 40 C.F.R. Part 70 and the Cross-Media Electronic Reporting Rule (CROMERR) for all electronic submissions of information through Ohio's software, Air Services, and 3) EPA is able to access these reports and related documents via Ohio's internal database, STARS2. Compliance certifications that contain or rely upon confidential information must be submitted directly to Region 5 because Region 5 has access only to non-confidential information via STARS2.

Region 5 has discussed this issue with the Office of Air Quality Planning and Standards and the Office of General Counsel. EPA believes that, given Ohio's compliance with the CROMERR standards and the requirements at issue, federal access to electronically-submitted documents satisfies the requirement for the subject sources to submit these documents to EPA. Therefore, as relying on the electronic versions of the submitted reports would help EPA continue to meet its air quality goals while streamlining the permitting process and reducing paperwork, we agree to the above terms.

If you have any questions, please feel free to contact me or have your staff contact Kaushal Gupta, of my staff, at (312) 886-6803.

Sincerely,



George T. Czerniak
Director
Air and Radiation Division